IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

TUESDAY, THE 6TH MARCH 2007 / 15TH PHALGUNA 1928

WP(C).No. 5655 of 2007(W)

PETITIONER:

ASHA SHAJI, W/O. SHAJI K. ARAKKAL,
ARAKKAL HOUSE, SOUTH BAZAR ROAD,
IRINJALAKUDA.

BY ADV. SRI.SOJAN JAMES

RESPONDENTS:
----

1. STATE OF KERALA, REP. BY
SECRETARY TO REVENUE, GOVT. SECRETARIAT,
TRIVANDRUM.

2. THE TAHSILDAR,
(ASSESSING AUTHORITY UNDER THE KBT ACT),
MUKUNDAPURAM TALUK, IRINJALAKUDA,
THRISSUR DISTRICT.

BY GOVERNMENT PLEADER SRI. MUHAMMED RAFIQ

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 06/03/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.BALAKRISHNAN NAIR, J.

W.P.(C).No.5655of 2007-W

Dated this the 6th day of March, 2007

JUDGMENT

The petitioner is aggrieved by Ext.P2 assessment order assessing his building to building tax, treating its plinth area as 287.22 square metres. She claims that she has submitted Ext.P6 representation to rectify the mistakes in the said assessment. According to the petitioner, the plinth area of the car porch has also been reckoned, while making the assessment. The same is impermissible ,in view of the decision of this Court and also the Circular issued by the Government which is produced as Ext.P7.

2. Heard the learned Government Pleader for the respondents.

3. If Ext. P6 is received and pending, the second respondent will consider and pass orders on it, within one month from the date of production of a copy of this judgment. If a copy of this judgment is produced before the second respondent, within three weeks from today, recovery of luxury tax will be kept in abeyance till the disposal of Ext.P6.

The Writ Petition is disposed of as above.

K.BALAKRISHNAN NAIR, JUDGE.

MS